

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

ANGELA DEE ISLEY,

Defendant.

CRIMINAL ACTION

NO. 1:05-CR-621-1

Civil Action No. 1:10-CV-3061

O R D E R

The defendant's unopposed motion for leave to file amended objections to the magistrate judge's report and recommendation [Doc. No. 336] is GRANTED.

After carefully considering the magistrate judge's report and recommendation, together with the objections thereto, the court receives it with approval and adopts it as the opinion and order of this court.

In adopting the report and recommendation, this court has made a de novo review of the record. In objecting to the report and recommendation, the defendant argued that the magistrate judge was not in a position to determine whether the government's statements, evidentiary presentation, arguments, and requested instructions had a substantial and injurious effect or influence with respect to the jury's verdict. As pointed out by the defendant, the undersigned presided over the trial and saw the jurors' reactions to the arguments and instructions. This court finds that any error regarding allegations of honest services fraud in the form of

undisclosed self dealing did not affect the jury's general verdict in this case.

Additionally, this court has reviewed the decision in Turner v. United States, ____ F.Supp.2d ____, 2011 WL 3859726 (C.D. Ill., Sept. 1, 2011). Assuming, without deciding, that Turner would require a different result in this case, this court declines to follow it.

For the foregoing reasons, the defendant's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 319] is DENIED.

SO ORDERED, this 5th day of January, 2012.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge